

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६८
बृहन्मुंबई विकास नियंत्रण नियमाबलीतील नियम ५८(७) मध्ये
फेरबदलाची अधिसूचना.

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन निर्णय क्रमांक: टिपीची-४३०२/८३०/प.क्र.१०७/२००३/नवि-११
मंत्रालय, मुंबई: ४०० ०३२, दिनांक: २ डिसेंबर, २००८.

शासन निर्णय:- सोबतची अधिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिद्ध करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार या नांवाने,

१०८३
(अभिराज गिरकर)
अवर सचिव, महाराष्ट्र शासन.

प्रति,

सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई.
आशुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
मुख्य कार्यकारी अधिकारी, म्हाडा, गृहनिर्माण भवन, यांंद्रे (पूर्व), मुंबई.
मुख्य अधिकारी, मुंबई इमारत दुरुस्ती व पुनर्रचना मंडळ, गृहनिर्माण भवन, यांंद्रे (पूर्व), मुंबई.
संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.
उप सचिव, नगर रचना, मंत्रालय, मुंबई.
प्रमुख अधियंता (वि.यो.), बृहन्मुंबई महानगरपालिका, मुंबई.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यांत येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिद्ध करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साहटमेंट, आझाद मैदान, मुंबई-१ यांना पाठविण्यांत याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२१), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.
(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदार्शित करण्याबाबत आवश्यक ती कायवाही करावी)
निवडनस्ती (नवि-११).

**Maharashtra Regional & Town
Planning Act, 1966.**

- Notification under section 37 (2) of the said Act.
- Modification to Regulation 58(7)(a) of DCR for Gr. Mumbai.

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.**
Dated 2nd December, 2008.

NOTIFICATION

No. TPB 4302/830/CR-107/2003/UD-11:

Whereas the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/UD-11(RDP) dated 20th February, 1991 to come into force with effect from 25th March, 1991.

And whereas, Regulation 58 of the said Regulations deals with the development or redevelopment of lands of Cotton Textile Mills, which underwent modification (hereinafter referred to as "the said modified Regulations") vide Urban Development Departments Notification No. TPB-4320/516/CR-50/2000/Part-II/UD-11 dated 20/3/2001, after following the procedure laid down under section 37 of the said Act.

And whereas, Regulation 58(7)(a) of the said modified Regulation was further modified vide Notification of even No. dated 6/3/07 by adding the proviso for the reconstruction/redevelopment to be undertaken by landlord/ or Co-op. Housing Society of occupiers in respect of residential buildings/chawls located on the land of cotton textile mills.

And whereas, with view to get additional tenements for textile workers from the development of land textile chawls and also to increase the carpet area of tenements, it was felt necessary to further modify the regulation 58(7) of the said modified regulation.

And whereas, in view of the facts and circumstances mentioned above and in exercise of the powers contained in sub-section (1AA) of section 37 of the said Act, Government had issued the notice of even no. dated 23/6/2008 (hereinafter referred to as "the said Notice") regarding the said modification, for inviting suggestions/objections from any person with respect to the said modification.

And whereas, the said notice was published in the Government Gazette (Ordinary) dated 31/7/2008 and in the news paper namely The Asian Age (English) dated 13/7/08.

And whereas, as per the said notice Government had appointed Deputy Director of Town Planning Gr. Mumbai as an officer under section 162 of the said act (hereinafter referred to as "the said officer") to scrutinize any suggestions/objections received and to grant hearing to the persons submitting suggestions/objections including Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") and to submit his report to the Government regarding the said modification.

And whereas, the said officer has submitted his report vide letter No. DDTP/Br.Mumbai/37(1AA)/3585 dated 23/10/2008 to the Government (hereinafter referred to as "the said Report"). He has recommended to sanction the said modification with some changes considering the suggestions/objections received from the general public.

And whereas, after consulting Director of Town Planning, Maharashtra State, Government is of opinion that the said modification should be sanctioned with some changes.

Now therefore, in exercise of the powers vested under section 37(2) of the said Act, Government hereby sanction the said modification with certain changes as mentioned below:-

MODIFICATION

(A) Following proviso shall be added after Regulation 58(7)(a) of the said modified regulations:

Existing Provision.	Modified Provision
For reconstruction/redevelopment to be undertaken by landlord/or Co-op. Housing Society of occupiers in respect of residential buildings/chawls located on the lands of Cotton Textile Mills, the following conditions shall apply.	For reconstruction/redevelopment to be undertaken by landlord/or Co-op. Housing Society of occupiers in respect of residential buildings/chawls located on the lands of Cotton Textile Mills, the following conditions shall apply.
(i) In case redevelopment of buildings occupying part of larger holding, the notional area of plot on the basis of permissible FSI and the total built up area of the building shall be computed and thereafter considering such	(i) In case of redevelopment of buildings occupying part of larger holding, the notional area of plot on the basis of permissible FSI and the total built up area of the building shall be computed and thereafter considering such notional area of the plot, FSI of 4.0 shall be allowed.

notional area of the plot, FSI equivalent to difference in the FSI required for rehabilitation of existing occupants and the existing FSI of the occupants shall be granted as additional incentive FSI.

(ii) Each occupant shall be rehabilitated and given the carpet area of 20.90 sq.mt. or the existing carpet area occupied by him whichever is more subject to a maximum carpet area upto 70 sq.mt.

(ii)

The FSI computation of 4.00 shall be as follows:

Rehab area shall be the total built up area required for rehabilitation of all the occupants of residential buildings/ chawls with the carpet area of 27.83 sq.mt. each. In case of authorised non-residential occupier existing on 1st January, 2000 the area to be given in the reconstructed building will be equivalent to the area occupied in the old building.

Difference between FSI 4.00 and FSI used for rehabilitation of existing occupants shall be used and shared as follow:

- a) Available difference shall be divided into two parts in a ratio of 1:40.
- b) Out of these two parts, 1.00 shall be constructed by the mill owners in the form of additional tenements having 27.83 sq.mt. carpet area each and shall be handed over to MHADA/Government and to be used for rehabilitation of mill workers.
- c) The mill owners shall be entitled for FSI of above 0.4 part as stated in (a) in lieu of construction done and handed over to MHADA/Government.
- d) Construction for rehabilitation of all the occupants of residential buildings / chawls shall be done by mill owner. No incentive FSI against such construction shall be

permitted.

<p>(iii) All the occupant of the old building shall be re-accommodated in the redeveloped building.</p>	<p>(iii) All the occupant of the old building shall be re-accommodated in the redeveloped building.</p>
<p>(iv) The list of occupants and area occupied by each of them in the old building shall be certified by MHADA.</p>	<p>(iv) In case of the cess building, the list of occupants and area occupied by each of them in the old building shall be certified by Mumbai Repairs and Reconstruction Board and for other building it shall be certified by Municipal Corporation of Gr. Mumbai.</p>
	<p>(v) In case of dispute the matter shall be referred to the Monitoring Committee and the decision of the committee shall be binding on all parties.</p>
	<p>(vi) An amount of Rs. 20,000/- per tenement have to be deposited by developer as a corpus fund with the society of the occupants at the time of completion of construction, for maintenance of the buildings.</p>
	<p>(vii) Notwithstanding any thing contained in these Regulations, the relaxations incorporated in regulation No. 33(7) of these regulations and amended from time to time, shall apply.</p>

By order and in the name of the Governor of Maharashtra,

ADM

(Abhiraj Girkar)

Under Secretary to Government.